1. Number of pages 38
2. Date of Repair 22.2.25
3. Initials of Referencer
8.5.26

M.R.O. 1—82,400—22-11-80.

MADRAS RECORD OFFICE.

Government of Madras.

pension DEPARTMENT.

G.O. No. 284 ~~Press~~ Mis.

Dated 28—8— 1862

Not to be folded or roughly handled

CM/3135

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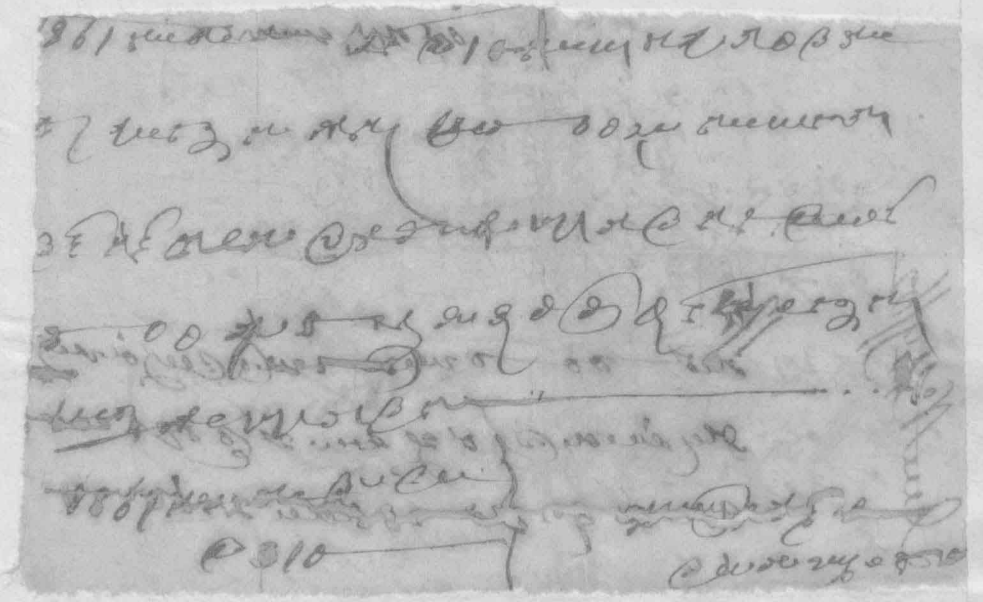

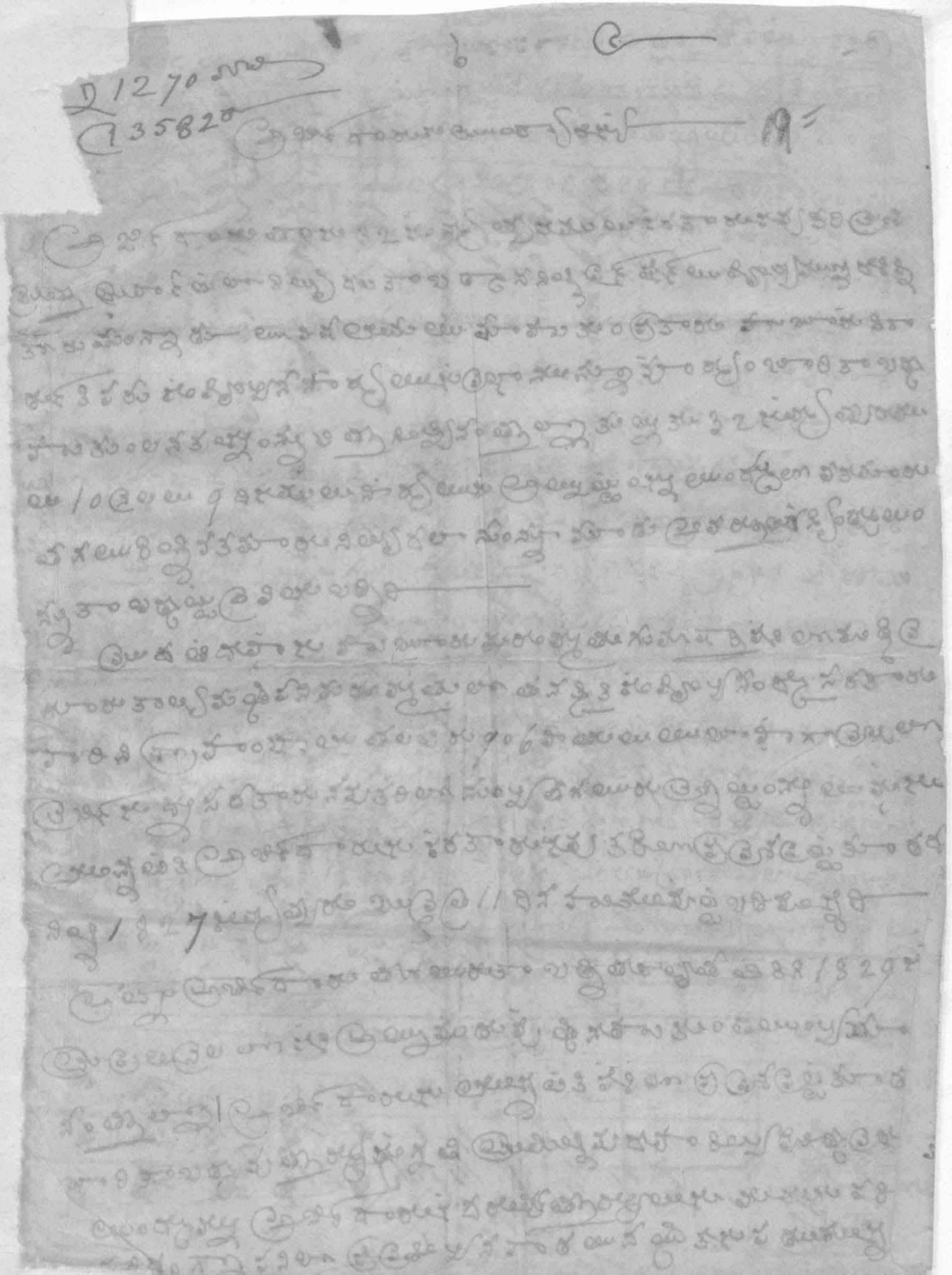

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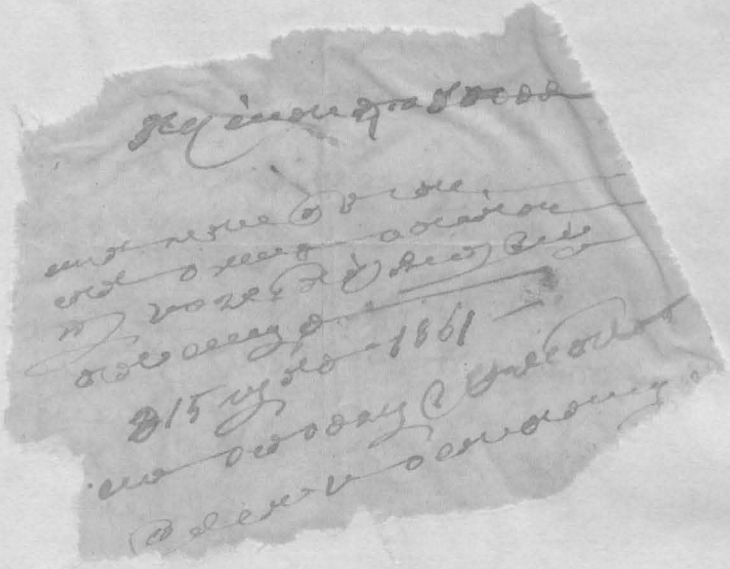

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4/8/62

No. 1877 of 1862.

From the details in Mr. Dykes' endorsement it only appears that the Petitioner was once dismissed in 1827, and not twice as stated in the beginning of the endorsement. This dismissal was on a grave charge - but as the Petitioner has been re-employed and has served more than thirty years since, his dismissal cannot be held as a bar to his claim to pension. There is nothing to show that Petitioner obtained his re-appointment fraudulently. He was employed two years after his dismissal and in the same district where the circumstances of his case must have been well known. -

The other offences recorded against

against the Petitioner were punished in the usual manner and can hardly have been of so grave a nature as they seem to have been considered by Mr. Dykes or the Petitioner would not have been retained in the Public Service –

Under these circumstances the Government resolve to direct the Acting Collector of Nellore to submit Petitioner's application for Pension in the usual manner. –

Fort St. George }
31st. July 1852. }

By Order

R Ellis
Ag: Dy: Secy: to Govt.

1877 17th No 1877 of 1862

To
His Excellency the Honorable
The Governor in Council
&c. &c. &c.

The humble petition of Budama-
goonta Brahmajee, late Mazumdar
of Survapullay Taluq, District of
Nellore.

Respectfully Sheweth,

That Petitioner being deeply aggrieved with the order passed by the Collector dated 13th December 1861, in his unfortunate case, begs most humbly and respectfully to solicit the attention of your Excellency in Council to the following considerations in regard to his claims to a superannuation pension, to recommend him for which, the Collector declined for reasons which your Excellency will observe will not hold good.

Petitioner was first entertained in the public Service in March 16th 1826 and was dismissed on the 11th July 1827, on unfounded ground. As Maramut Gumashta, under Mr. Revenue Surveyor Ross, he was deputed to inspect several channel works, which he did and faithfully forwarded his reports to him. In like manner Petitioner was deputed to inspect the earth work of the Vagoor Channel. Venkata Narsoo, the Hoozoor Goo-
mash-

from the Collectors
Endorsement.
A Takeed was is-
sued to Petitioner
n the 11th July 1827
ismissing him
rom the Hoozoor Mara-
mut Goomastah si-
ation and prohibit-
ig his further enter-
ainment in the Go-
ernment Service
is annexing Rs.
06 in excess in the
ccounts, with the
in-

intention of deceiving the Govern-ment, when he was sent to exa-mine the earth work done to the Vagoor Channel.

mashta first inspected it, Petitioner next inspected it and sent in a report of the progress of the work, but did not measure it, as the work was not completed. It was the duty of Mr. Ross to measure and send in a correct report. Some of Petitioner's enemies had it entered in the report that Petitioner had the work measured and that his measurement was in excess. On this the Talug Moozoomdar was deputed to inspect the work and he stated that the 1st measurement (of his Goomashta) was 4283 1/6 cubic feet, that Petitioner's measurement was 5190 6/16, whilst the Moozoomdar himself stated that the actual measurement was 4275. From this it will be apparent that there was merely a discrepancy and nothing more. Besides there was a Surveying officer in charge under whose supervision Petitioner then was. The fact is that from the influence which the Collector's subordinates had, and from their desire to bring one of their own relatives into office or make a speculation of the post, which was a common practice, they misrepresented the matter and procured his dismissal. Petitioner would humbly submit that having been newly employed, he would have conducted himself with the greatest carefulness without committing him-self,

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cy must judge. In the Hoozoor of Mr. Collector Smal-ly it is not stated that Petitioner is not eligiable for re-employment in Government service. Petitioner was re-employed in the same Maramut Department and on the same salary within 2 years after his dismissal when the cause of his dismissal must have been fresh in the minds of the officials. Then how could he have deceived them? Was it by assuming a nother name? Even then they could not be deceived in his person in so short a time. On his dismissal Petitioner brought the full particulars of his case to the notice of Mr. Smally, who being fully satisfied with his innocense recommended him to Mr. Bruce his successor for re-employment and Mr. Bruce accordingly re-employed him in the very same Department he was before.

Secondly when the Petitioner was holding the Mazoomdarship of Teeruvapully Talug, a charge, of having caused the legs of one Manoobolo Rama Reddy tied to his throat, was brought against him and the case being proved, Petitioner was suspended from the 18th June 1841 from the Maramut Head Goomashta situation and was also subjected to the forfeiture of 30 Rupees

Manoobolo Ananda Reddy of Vamoolapaulem of Goodoor not having paid a sum of Rs. 400 due in arrears to Government on account of his Puttah, Petitioner was ordered to collect the money. On Petitioner urging and pressing him for payment, he brought a false charge against him of having tortured him. What motive or pleasure can Petitioner have in ill treating a poor fellow creature? If any slight violence was used it must have been used to meet the objects of Government self. During the 14 months he was employed, on account of his merit, his pay was raised from Rs 8 to 14 and subsequently from 14 to Rs 17-8-0. Such being the case it would be his utmost desire and anxiety to discharge his duties faithfully and carefully.

In Mr. Collector Dyke's Endorsement it is stated that Petitioner defrauded or wished to defraud Government of Rs 906! How could this have been possible? the payments were not made through him nor the payments made before the work was completed. Merely to make the case strong against Petitioner the 906 cubic yards is converted into Rupees.

In the Hookum of the Collector Mr. Smolly dismissing him from service, Petitioner is charged with having reported 906 cubic yards in excess in measurement and not that he defrauded or wished to defraud Government of Rs 906. Had he been guilty of the fraud he would have been brought to criminal trial and double the amount would have been recovered from him according to Regulation IX of 1822.

In the Hookum issued to the Petitioner at the time of his employment in 1859, nothing is stated about the order that was issued to him at the time of dismissal. By this it appears that the Petitioner re-entered the Government service by fraudulent means.

The Collector stated that Petitioner got himself re-instated in Government service in 1859 by misrepresentation and fraudulent means. How he has come to this conclusion, your Excellency

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Government in collecting the revenue. Besides, in the collection of revenue such treatments were not uncommon in those days. For this offence Petitioner was fined 30 Rs and suspended for 14 days and afterwards restored to his post.

Thirdly at the time when the Petitioner
as holding the Mazoomdarship of
ellore Taluq, a Hookum No. 9 under
ate the 2d July 1859 was issued to
suspending him for irregularly
tating the Prices of rice in the Com-
missariat Hirruckhnama quite con-
rary to the order.

This arose entirely from ignorance, as Petitioner was not aware then of the order No. 66 issued on the subject. Petitioner prepared the Commissariat Hirruckhnama or grain price current twice a month and forwarded it to the Tahsildar who is the responsible person for such things and who examined and signed it. If there was any thing wrong in the statement it was his duty to rectify it. If blame was to be attached to any one it was to the Tahsildar. Besides what benefit could Petitioner derive in making false statements in the grain price current? He was neither a grain merchant nor a grain contractor. For this slight offence Petitioner was suspended for a month and restored again to his duties on the 23d August on a reduced salary of Rs 30, but on his representing to the Collector that he was ignorant of the order No. 66, he was restored to his former salary of Rs 35 within 10 days after.

After my arrival to this Dis-
rict, I came to understand that
hen the Petitioner was holding
he Mazoomdarship of Nellore Taluq
e tendered a Durcost in the name
of

This is a frivolous charge; because the father is employed in Government service is that any reason his son should not seek some means of livelihood.

Pe-

of his son Rama Chandra Rawsha
puttoos in Chinna [illegible]
and fixing on it a small assess-
ment of Rs 3[illegible] a year and bring-
ing the land under cultivation by
taking the water of the River channel
supplying the new Tank of Chinna
Cheroohoorac.

Petitioner's son tendered a Durcost for 8 puttoos of waste lands in common with other Durcostdars. All the Durcosts, as well as that of Petitioner's son, were accepted and the assessment fixed by the Circar. Petitioner could have no influence in increasing or lessening the assessment. In Fusly 1268 water being very scarce to irrigate their lands, the said Durcostdars, together with Petitioner's son applied to the Collector and in accordance to his order, a channel was excavated at their own expense, but this was not done by Petitioner's son only, nor without the order of the Collector.

Thus Petitioner has humbly endeavoured to meet all the charges brought against him by the Collector. Your Excellency in Council will perceive that not one of these are of a grave or serious nature to exclude him from a pension. If such trivial charges should be considered sufficient to exclude a person from pension, scarcely one out of hundred Native Government servants will ever be so fortunate as to retire on his pension.

Petitioner most humbly and respectfully begs to state that during the long period of 32 years service, he has carefully and faithfully discharged the duties entrusted to him. The only occasion on which he was removed from office was 37 years ago — the summary

manner

manner in which Public servants used to be dismissed from office in those days for trivial offences must be well known to your Excellency in Council, and re-employment in the same Department and in the same District and under the same Authorities will, Petitioner trusts, be deemed sufficient evidence of the absence of any offence on his part. Petitioner has completed a period of 30 years service since his restoration, and the two subsequent offences for which he was suspended from office for a few days on each occasion, it will be seen, do not reflect on his moral character and are altogether slight errors which people in business are apt to commit. On the whole it may be evident to your Excellency that Petitioner has passed through the ordeal of his long career of service without any stain on his character and with much less blame than was attached to other servants, both in Nellore and elsewhere, who have been recommended to Government for pension. Amongst others Petitioner will mention only a few. Vamoolapatu Vipraia late Tasildar of Chundaloor Talug. Uttavarum Jagannada Row, Tasildar of Atmacoor and Padoo Meeran, Tasildar of Sarvapully — all of Nellore District and C. Streenevasa Row Tasildar of Pareapolyam, Madras District. These Officers were charged and found guilty of most grave and serious offences; still they were recommended for pension

and

and Government has sanctioned it. Under these circumstances Petitioner most respectfully begs that he may not be thrown helpless in his old age after having served the Government for so long a period as 32 years, and that he may be provided either with a situation (for he is still able to do duty) or a Pension, having been un thrown out of employ solely owing to the new arrangement of Taluqs and for which act of benevolence and justice Petitioner as in duty bound

Shatt Iwar Ray

Rev: Pension

25 No. 1877 of 1862

From Budama=goonta Brahmajee late Mazumdar of Survapullay Taluq Nellore

Dated 16th } July /62
Recd 16th } July /62

With 2 enclosures

Submitting the collector's Endorsement declining to recommend him to Government for pension on the grounds set forth therein, states certain circumstances in refutation of the collector's reasons & prays that in consideration of his long service of 32 years, pension may be granted to him as was done to several individuals herein referred to who have been found guilty of graver offences than his

Enclosure.

In a letter from the Sub Collector in charge of Vellore, to the Chief Secretary to Government, Fort Saint George dated 16th August 1862. No. 28.

One Encl.

Translation of a Circular Tahkid, dated 11th July 1827, issued by the Principal Collector Mr. Smalley to ten Tahasildars in the district, about B. Bramhaji.

No. 28.

Vellore,
Collectors Office,
16th August 1862.

From,
E. F. Eliott Esqre
Sub Collector in charge of Vellore.

To,
T. Pycroft Esquire,
Chief Secretary to Government,
Fort St. George.

Sir,

With reference to the Endorsement of Government dated 31st Ultimo, on Petition* No. 1877 of 1862, I have the honor to submit for the consideration of Government translation of a Circular Tahkid dated 11th July 1827 issued by the then Principal Collector Mr. Smalley, to 10 Tahasildars in the District.

*Herewith submitted with its Enclosures, to be returned.-

2. From this Tahkid it will be seen that the re-employment of the Petitioner Budamugunta Bramhaji is strictly forbidden, and the Tahasildars were warned against taking any work from, or making any recommendation in behalf of the Petitioner and another man, who were both found guilty of having over measured certain earthwork repairs & thus attempted to defraud Government.

3. Although, as remarked in the Government Endorsement, Petitioner was re-employed

two

two years after his dismissal in the District where the circumstances of Petitioner's case were well known, and there is nothing on record to show that he obtained his re-employment fraudulently, yet as the Government are apparently not aware of such a Circular Takeed, as that now submitted for their consideration, having been issued by the Officer, who dismissed Petitioner, I venture to bring the same before them before carrying out their order to submit Petitioner's application for Pension in the usual manner.

4. There certainly is nothing on record to show that Petitioner obtained his re-appointment fraudulently, but it may be supposed from Petitioner having been within two years of his dismissal, restored to an appointment of equal Salary in the same Office as that from which he was dismissed, & in the face of such an order as that above refered to, that Petitioner's re-entertainment in the Service was not honestly & fairly obtained. - The order of Mr. A. F. Bruce, Acting Sub Collector in charge of the District, dated 22nd April 1829, re-employing Petitioner

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No. 378.

To,

Mahamed Yusaff,

Acting Tahseldar of Kota Talug.

Bramhaji, Huzur Maramat Gumasta, and Tujari Venkatanarsu, Mazumdar Gumasta of Nellore Talug, having measured very incorrectly the Earth work done to the Veguru Channel, & thus endeavoured to defraud Government; besides dismissing both of them, it has been further determined that neither of these two men should be again employed in this District in any capacity whatever under Government. - It is therefore ordered that hereafter Tahseldars and others should take no work from these men, nor should they be recommended for reemployment in the public service. - Severe notice will be taken of any one who might not conform to this order. - You are therefore to bear the above order in mind, and carefully abide according to the same, - you will know. -

Nellore,
11th July 1827.

(Signed) E. Smalley
Principal Collector

(Signed) Venkachigundram Bavu Row,
Huzur Munshi. -

—Ditto as above.—

to the Tahseldar of Sarnapalli Talug —— No. 415.

—— Do. —— Do. —— Nellore Talug —— No. 623.

—— Do. —— Talamanchi Talug —— No. 655.

—— Do. —— Sangam —— Talug —— No. 468.

—— Do. —— Revuru - Varigumtapad Talug No. 347.

—— Do. —— Kaligiri Duttaluru - Talug No. 331.

—— Do. —— Kavali Talug —— No. 445.

—— Do. —— Tummalatalapuru Talug No. 349.

—— Do. —— Gundavolu — Talug —— No. 206.

(True Translation)

E. P. Elliott
Sub Collector in charge

Exd.
Chas Hunkett
&c

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assigns no reasons whatever for so doing, and does not allude at all to Mr. Smalley's Circular order of the 11th July 1827 forbidding Petitioner's employment.

5. Under the foregoing circumstances, I beg to request the orders of Government whether the Petitioners claim for Pension is to be rejected, or his application be submitted in the usual manner.

I have the honor to be,
Sir,
Your most Obed. Servt.

E. P. Elliott
Sub Collector in charge

Exd. Chas Hunkett
&c

35

Pension Department.

Proceedings of the Madras Govt

Read letter from E. F. Elliott Esq. Sub Collr. in charge of Nellore dated 16th August 1862.

Order thereon. 28th August 1862. No. 284

With reference to Gov. Endorst. of the 31st July. 1862. on Petn. No 1877. — the Sub Collr. in charge of the district forwards a Translation of a circular Takid issued to the Tahsildars in the Nellore district in 1827, warning them that the Petr. B. Brahmaji late Moong had been dismissed for fraudulent measurement & forbidding his reemployment in the Nellore district.

Copied
to Collector of Nellore. Com. 28/8/62

1862. Pension Department.
No. 417
From
the Sub Collector in ch. of Nellore.
To
the Chief Secy. to Government.
Fort Saint George.
Dated 16th }
Despatched 18th } August 1862.
Received 20 }

In Cons.
Four Enclosures. (4.)
No. 28.

P. No. 284

Requests the orders of Govt. whether the Petitioners claim for pension set forth in Govt. Petition No. 1877 of 1862 is to be rejected under the circumstances described within, or his application be submitted in the usual manner.

C22 Aug.

Draw Agreement.

From this circular, Mr Elliott concludes that the re-employment of the Petr in 1829, must have been fraudulently obtained

As remarked by Mr Elliott there is no evidence of any such fraud. ~~an~~ The Govt cannot consider that after more than thirty years since since his dismissal & reemployment, the mere suspicion that such reemployment was fraudulently obtained, can bar the Petrs claim to pension. There may have been sufficient reasons for the reversal or modification of the Takid in question. They therefore direct the Sub Collector in charge of the Nellore district to forward the Petrs application for pension in the usual manner

[illegible]
A.J. Arbuthnot Secy to Govt

To the Sub Collector of Nellore Dec. 28/8./62

Pros: in the Petition Departm
31 July 1862 No. 1877

(3)

Pension 1862 Depart

No. 284

Proceedings of Government

Dated 28 August 1862

F. No. 597

Directing the Sub Collector in Charge Nellore to submit the application of B. Brahamayia for Pension in the usual manner

C22 Augt
N24